

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT ROANOKE, VA  
FILED

MAY 17 2016

JULIA C. DUDLEY, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

VICTORIA JENKINS,  
individually and on behalf of all others  
similarly situated,

Plaintiff,

v.

F. GLENN AYLOR, et al.,

Defendants.

Civil Action No. 3:15-CV-00046

**ORDER**

By: Hon. Glen E. Conrad  
Chief United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is hereby

**ORDERED**

as follows:

1. Defendants' motion to dismiss (Docket No. 7) is **GRANTED IN PART AND DENIED IN PART**. The motion is granted with respect to Count I, which is **DISMISSED** without prejudice. The motion is denied with respect to Counts II and III; and
2. Defendants' motion to strike (Docket No. 7) is **DENIED**.

The Clerk is directed to send a certified copy of the order and memorandum opinion to all counsel of record.

ENTER: This 17<sup>th</sup> day of May, 2016.

*[Signature]*  
\_\_\_\_\_  
Chief United States District Judge